

Interview Summary

Application No.
08/821,025

Applicant(s)
Bijl et al.

Examiner
Irene Marx

Art Unit
1651



All participants (applicant, applicant's representative, PTO personnel):

(1) Irene Marx

(3) _____

(2) Mr. Bruce Grant

(4) _____

Date of Interview Aug 15, 2002

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: _____

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The claims were discussed regarding indefiniteness and art issues. It was indicated that no clear patentable distinction is seen between having live cells or dead cells for the intended purpose. It is applicant's position that there is no motivation to combine the references, and case law will be cited to this effect. The product by process aspect was discussed regarding the porosity limitations, for example. The claims in the continuation will be directed to composition claims having properties such as dead, extruded, size, and porosity. It was also recommended that the multiple dependency be eliminated if possible.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

IRENE MARX
PRIMARY EXAMINER
ART UNIT 1651

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required